



AF/LFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Application No: 10/635,873
Alice H. Howe) Art Unit 3711
TENNIS RACQUET EQUIPPED) Examiner: Raleigh W. Chiu
WITH A TENNIS BALL RETRIEVER)
Attorney Docket No.: MPH 03-13 Filing Date: 08/05/2003

Mail Stop AF
Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Date: April 27, 2006

Dear Sir:

Transmitted herewith to the United States Patent and Trademark Office are the following:

1. Transmittal letter;
2. Interview Summary;
3. Certificate of Mailing Date;
4. Self-addressed postcard for return acknowledging receipt of all of the above.

Respectfully submitted,

M. Paul Hendrickson

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Re Application of:

Alice H. Howe)	Application No: 10/635,873
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Interview Summary

Applicant's attorney wishes to thank Primary Examiner Raleigh Chiu for the courtesies extended to the undersigned attorney during a telephonic interview of April 11, 2006, which interview is further referenced in an Interview Summary of 04/17/2006.

Applicant's attorney telephoned Primary Examiner Chiu expressing concern that whatever amendments were made in the Amended Appeal Brief would satisfactorily overcome the non-compliant Appeal Brief requirements of the Non-Compliant Appeal Brief Notification and accordingly requested Examiner's assistance to insure that the amended brief would be in full compliance with the Appeal Brief requirements.

No claims, no prior art and no exhibits other than the Amended Appeal Brief requirements were discussed.

Applicant's attorney and Examiner Chiu accordingly reviewed, in depth, the following proposed summarized amendatory changes to the non-compliant Appeal Brief:

- 1) Deletion or omitting Exhibits B-F and any reference to Exhibits B-F from the non-compliant Appeal Brief text;

- 2) Entry of the Board of Appeals and Interference in Appeal No. 2004-2020 Decision of the parent application 09/655,743 as Exhibit I;
 - 3) With specific reference to the previously filed non-compliant Appeal Brief text and the context within which the proposed amendments were to be made including the deleted exhibits, the following suggested appeal brief amendatory changes were discussed:
 - ”in the parent application and appeal brief of Appeal No. 2004-2020” (e.g. line 4, last paragraph of Page 7)
 - ”in the parent application and the appeal brief appendix” (e.g. see page 18, last paragraph, line 4);
 - ”in the file of parent application serial number 09/655,743 and the appeal brief appendix” (e.g. last sentence, page 20, Fact 6, penultimate sentence ending on page 30);
 - ”in the parent application and appeal brief” (e.g. see Fact 2, Fact 4, last sentences on Page 29);
 - ”of record in the parent application file and appeal brief appendix, (e.g. after 132 Affidavit in line 1, Fact 4, page 39, page 79);
 - ”on file in the parent application and appeal brief” (e.g. see page 79, line 1);
 - ”in the parent application” and the like; and
- 4) The correction of numerous grammatical, spelling, and sentence structure errors.

After comprehensively reviewing the aforementioned matters with particular reference to the sentences and the context within which the proposed amendatory changes were to be placed in the non-compliant appeal brief, Primary Examiner Chiu indicated that the proposed amendments should be satisfactory and did not foresee any non-compliant problems with applicant’s attorney filing of an Amended Appeal Brief in accordance with those matters discussed during the 04/11/2006 telephonic interview.

Applicant's attorney respectfully wishes to thank Primary Examiner Chiu for his time and effort in assisting applicant's attorney in the preparation and filing of the Amended Appeal Brief.

Respectfully submitted,

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Accompanying this Certificate of Mailing are the following materials:

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CERTIFICATE OF MAILING

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on April 27, 2006, in an envelope with sufficient postage as first class mail addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature

Sharyl L. Breu

Typed or printed name